

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE

JONES, ET AL.

Plaintiffs,

v.

VARISITY BRANDS, LLC, ET AL.,

Defendants.

Case No. 2:20-cv-02892-SHL-tmp

**CHARLESBANK'S AND BAIN'S SURREPLY IN OPPOSITION TO PLAINTIFFS'
MOTION TO COMPEL THE PRODUCTION OF ALL DOCUMENTS AND PORTIONS
THEREOF WITHHELD AS PRIVIEGED**

In its order granting Defendants Motion for Leave to File Surreply (ECF No. 315), the Court noted that it was not clear whether Defendants' motion for leave to file a surreply (ECF No. 312) was also intended as the surreply itself. Through this filing, Defendants confirm that the points mentioned in their motion for leave to file a surreply are the points that Defendants intended to put before the Court by way of their surreply. Unless the Court directs otherwise, Defendants will not repeat those points in a separate submission. Defendants apologize for any confusion.

Dated: May 26, 2022

Respectfully submitted,

s/ Matthew S. Mulqueen

George S. Cary*
Steven J. Kaiser*
Linden Bernhardt*
CLEARY GOTTlieb STEEN &
HAMILTON LLP
2112 Pennsylvania Avenue, NW
Washington, DC 20037
Phone: (202) 974-1500
Fax: (202) 974-1999
gcary@cgsh.com
skaiser@cgsh.com
lbernhardt@cgsh.com

Jennifer Kennedy Park*
Heather Nyong'o*
CLEARY GOTTlieb STEEN &
HAMILTON LLP
1841 Page Mill Road, Suite 250
Palo Alto, CA 94304
Phone: (650) 815-4100
Fax: (202) 974-1999
jcpark@cgsh.com
hnyongo@cgsh.com

* Admitted pro hac vice

Matthew S. Mulqueen (TN #28418)
Adam S. Baldridge (TN #23488)
BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ
165 Madison Avenue, Suite 2000
Memphis, TN 38103
Phone: (901) 526-2000
Fax: (901) 577-0866
mmulqueen@bakerdonelson.com
abaldridge@bakerdonelson.com

*Attorneys for Charlesbank Capital Partners,
LLC and Bain Capital Private Equity*